

**Notice of Allowability**

Application No.

10/031,925

Examiner

Robert P. Swiatek

Applicant(s)

MCDONNELL, WILLIAM R.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2 Mar. 2004; telephone interviews of 12 May 2004 and 5 Oct. 2004.
2. ☒ The allowed claim(s) is/are 130,132,133,141,147,151-153,157,177,184,185,209-214,216,217,220,221,226-231,238,245,246,248,251,257-262,279-282,285 and 289.
3. ☒ The drawings filed on 23 January 2002 and 02 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 5-17-04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Robert P. Swiatek*  
Robert P. Swiatek  
Primary Examiner  
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### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interviews with Mr. J. Philip Polster on 12 May 2004 and 5 October 2004.

The application has been amended as follows: Claims 286-288, 292 have been canceled; in claim 130, line 5, the word –automated– has been inserted before “launching”; on page 5, line 24, of the specification, the paragraph has been changed to read –**FIGS. 14A and 14B** are frontal views of additional aircraft configurations for this invention.–; on page 6, line 10, of the specification, the paragraph has been changed to read –**FIGS. 25A, 25B, and 25C** show other embodiments of deployable lifting systems.–.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: The claims in this application have been allowed because the prior art does not disclose an aerial launch system including a lifting apparatus for carrying an aircraft to an elevated altitude; a tow line connecting the apparatus to a base structure in the form of a water craft able to create a relative wind through forward movement sufficient to provide lift to the lifting apparatus; and an automated launching means, with the launching means adapted to carry the aircraft to the elevated altitude and release

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it for flight. While systems including parasails connected to water craft are well-known in the prior art, such systems do not include automated launching means adapted to both carry and release aircraft at elevated altitudes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

This case is being passed to issue with allowed claims 130, 132, 133, 141, 147, 184, 185, 209, 151-153, 210-214, 227, 228, 230, 257, 177, 221, 226, 229, 231, 238, 245, 246, 248, 251, 258, 216, 217, 220, 259-261, 157, 262, 279-282, 285, 289, renumbered as claims 1-45, respectively.

RPS: J703/308-2700  
6 October 2004

*Robert P. Swiatek*  
ROBERT P. SWIATEK  
PRIMARY EXAMINER  
ART UNIT ~~333~~ 3643